

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/371,697 filed on August 10, 1999, for Frank SIMON et al., by the following named inventor(s):

- (a) Full Name Frank SIMON
- (b) Full Name Mike SIMON
- (c) Full Name Ron MUELLER

- ☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

- ☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.



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Request for Filing Continuation/Divisional Application
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- (a) Full Name _____
(b) Full Name _____
(c) Full Name _____

1. ☒ Enclosed is a copy of the prior Application No. 09/371,697 as originally filed on August 10, 1999, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☒ 1 statement claiming small entity status ☐ are enclosed ☒ was filed in prior Application No. 09/371,697, filed on October 12, 1999.
4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$690.00 (101)
Total Claims		MINUS 20 =		x \$18.00 (103) =	
Independent Claims		MINUS 3 =		x \$78.00 (102) =	
If multiple dependent claims are presented, add \$260.00 (104)					
Total Application Fee					690.00
If small entity status is claimed, subtract 50% of Total Application Fee					345.00
Add Assignment Recording Fee of if Assignment document is enclosed					
TOTAL APPLICATION FEE DUE					345.00

5. ☐ Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
6. ☒ A check in the amount of \$ 345.00 is enclosed for the fee due.

7. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.
8. ☐ Cancel in this application original claims _ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9. ☒ Amend the specification by inserting before the first line the sentence: --This application is a ☒ continuation, ☐ divisional, of Application No. 09/371,697, filed August 10, 1999.--
10. ☐ Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate of this paper is enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)
11. ☐ New drawings are enclosed.
12. ☐ Priority of Application No. _ filed on _ in _ (country) is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application
- ☐ is enclosed
- ☐ was filed on _ in prior Application No. __, filed on _
- ☐ has not yet been filed.
13. ☐ A preliminary amendment is enclosed.
14. ☒ An Information Disclosure Statement is enclosed.
15. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
16. ☒ Also enclosed are two (2) Substitute Declarations; and a Revocation and New Power of Attorney.
17. ☒ The power of attorney in the prior application is to E. Joseph Gess, Registration No. 28,510; B. Jefferson Boggs, Jr., Registration No. 32,344 and Micheal B. Chernoff, Registration No. 42,408.
- a. ☐ The power appears in the original papers in the prior application.
- b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Recognize as Associate Attorney Stephen W. Palan, Registration No. 43,420.

- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Stephen W. Palan
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: August 9, 2000
Date

By: E. Joseph Gess
E. Joseph Gess
Registration No. 28,510

ADDRESS OF
SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

- ☐ inventor(s)
☐ assignee of complete interest
☒ attorney or agent of record
☐ filed under 37 C.F.R. § 1.34(a)